

PATENT
2922-102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Je H. LEE et al.

SERIAL NO.: NEW
(Reissue of U.S. Patent No. 5,587,789)FILED:
(Issued: December 24, 1996)FOR: APPARATUS AND METHOD FOR CONTROLLING
RECORDING AND REPRODUCTION IN DIGITAL
VIDEO CASSETTE TAPE RECORDERCOMBINED REISSUE DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare as follows:

That our names, residence and citizenship are indicated below;

That we have reviewed and understand the contents of the attached reissue application including original claims 1-22 and newly submitted claims 23-58;

That we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a);

That we verily believe that we are the original, first and only joint inventors of the invention described and claimed in United States Patent No. 5,587,789 entitled "APPARATUS AND METHOD FOR CONTROLLING RECORDING AND REPRODUCTION IN DIGITAL VIDEO CASSETTE TAPE RECORDER" and in the foregoing specification for which invention we respectfully solicit a reissue patent;

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That we do not know and do not believe that the same invention was ever known or used before our invention or discovery thereof; or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one (1) year prior to the filing of our original application for United States Letters Patent No. 5,587,789 of which that is an application for reissue; or in public use or on sale in the United States of America for more than one (1) year prior to the filing of the original application; that the invention has been patented or made the subject of an inventor's certificate issued before the date of the original application in any country foreign to the United States of America on an application filed by us or our legal representatives or assignees more than twelve (12) months prior to said original application and that no application for patent or inventor's certificate have been filed by us or our legal representatives or assignees in any country foreign to the United States of America before the application of the original patent;

That we verily believe that there are errors in the original patent which make such original patent partially inoperative by reason of claiming less than we had a right to claim and that all errors being corrected in the reissue application up to the time of filing of this declaration arose without any deceptive intent;

That, more specifically, with respect to independent apparatus claim 1, the errors include specific recitation of the detailed functions of the frame recording position controlling means and the frame removing means; that, more specifically, with respect to independent apparatus claim 11, the errors include specific recitation of the detailed functions of the frame position information recording means with

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respect to index information; that, more specifically, with respect to independent method claims 19, the errors include specific recitation of the details of the calculating step; and that, more specifically, with respect to independent method claim 21, the errors include specific recitation of the details of the recording step with respect to index information;

That for this reason, there are errors in the original patent claims which rendered the original patent partially inoperative by failing to broadly claim the aspects of our invention.

Thus, newly submitted independent claims 23, 33, 42, and 52 are presented to cure the inadequacies of present claims 1-22. Claims 24-32, 34-41, 43-51, and 53-58 are all directly or indirectly dependent from claims 23, 33, 42, and 52, respectively. Each of these dependent claims is necessary to recite other features of the invention or to further define the basic elements of the invention recited in the independent claims. Claims 23-58 are not equivalent in scope to any of claims 1-22.

Upon review of the prior art cited during the examination of the original application, and the further documents submitted herewith, we do not believe that any of the documents disclose or suggest the invention as set forth in any of the claims 1-58, and that we are entitled to the more comprehensive protection represented by newly offered claims 23-58. As such, we believe that all of the claims 23-58 are necessary to protect our invention with claims of varying scope, and to correct for the insufficiencies of claims 1-22.

Applicants hereby offer to surrender the original Letters Patent No. 5,587,789.

substitute and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith, and request that all correspondence with respect to this application be directed to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
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Terrell C. Birch	(Reg. No. 19,382)	Raymond C. Stewart	(Reg. No. 21,066)
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C. Joseph Faraci	(Reg. No. 32,350)	Donald J. Daley	(Reg. No. 34,313)

WHEREFORE, the Petitioners hereby offer to surrender, upon the allowance of said application, the original of said Letters Patent and prays that Letters Patent be reissued to Petitioners for the invention of patent claims 1-22 with the newly presented claims 23-58;

The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and

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that such willful false statements may jeopardize validity of the application or any reissue patent issuing thereon.

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ASSENT OF ASSIGNEE TO REISSUE PATENT NO. 5,587,789

The undersigned, assignee of the entire interest of U.S. Patent No. 5,587,789
by virtue of an Assignment duly recorded in the Assignment Records of the U.S.
Patent and Trademark Office on April 13, 1994 at Reel 6967, Frames 092 - 096, hereby
assents to the accompanying reissue application.

LG ELECTRONICS INC.
(Goldstar Co., Ltd.)

Date:

02/06/98

By:

Jeong Doong Kim
(Signature)

Officer / General Manager
(Title)